IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 23739 of 1998

Between:

Saladi Krishna Rao, S/o Seshaiah,
R/o Satyavada, K.Gangavaram Mandal, E.G.Dist.

..... PETITIONER

AND

1 The District Collector, East Godavari at Kakinada.
2 The District Educational Officer,
Kakinada, East Godavari Dist.
3 The Mandal Educational Officer, Mandal Parishad,

K.Gangavaram, East Godavari Dist.
4 The Election Officer, Z.P. High School, Satyavada,
K.Gangavaram Mandal, E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declaring the action of the respondents in cancelling the election held on 19-7-1998 to the School Committee of Zilla Parishad High School, Satyavada, K.Gangavaram Mandal, East Godavari District as illegal, arbitrary and without jurisdiction and also violative of the principles of natural justice and consequently direct the respondents to permit the petitioner and other elected members to function pursuant to their election to the School Committee of Zilla Parishad High School, Satyavada, K.Gangavaram Mandal, E.G.District.

Counsel for the Petitioner: MR. N.SIVA REDDY

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following ORDER:

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As per Section 5(4) of A.P. School Education (Community Participation) Act, 1998 (for brevity, 'the Act'), a School Committee elected in accordance with sub-section

(1) of Section 5 of the Act, shall have a term of two years. The petitioner was elected as Chairman of the School Committee of Zilla Parishad High School, Satyavada, K.Gangavaram Mandal, East Godavari District, in the elections held on 19-7-1998. It appears, after the election, the first respondent cancelled the election, assailing which the present Writ Petition is filed.

This Court while admitting the Writ Petition on 31-8-1998, stayed the cancellation. As the term of the petitioner and other elected members is only for a period of two years, nothing survives in the Writ Petition.

The Writ Petition is, therefore, dismissed as infructuous. No costs.

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V.V.S. RAO, J

Dated: November 04, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, East Godavari Dist., Kakinada.
2 The District Educational Officer,
East Godavari Dist., Kakinada.
3 The Mandal Educational Officer, Mandal Parishad, K.Gangavaram,
East Godavari Dist.
4 The Election Officer, Z.P. High School, Satyavada,
K.Gangavaram Mandal, E.G.Dist.

5 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

6 Two CD copies.